

of the time and place of holding said courts, or cause such notice to be left at their place of abode, at least three days previous thereto; and in case any absentee, notified as aforesaid, shall refuse or neglect to attend, the said courts martial are authorised and empowered to proceed to the trial of such absentees as if they were personally present; and if either of the said officers shall refuse or neglect to comply with either of the provisions of this section, he shall be fined not less than five nor more than one hundred dollars, in the discretion of such court martial as the case may require.

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16. *And be it enacted,* That the courts martial to try all non-commissioned officers, privates and musicians; as absentees from parade, shall consist of one member from each company of a regiment or extra battalion, one third of whom at least shall be privates.

Courts martial to try privates, &c.

17. *And be it enacted,* That the courts martial to try all commissioned and staff officers of either brigade, as absentees from parade, shall consist of an officer from each regiment and extra battalion of the same brigade, one third of whom at least shall be subalterns.

To try commissioned and staff officers.

18. *And be it enacted,* That every division court martial shall be appointed by the commanding officer of the division, and shall consist of not less than five nor more than thirteen members, two thirds of whom at least shall be field officers, who shall have the power to try the commanding officers of the brigades for all violations of this act.

Division c'ts martial.

19. *And be it enacted,* That every brigade court martial shall be appointed by the commanding officer of the brigade, and shall consist of not less than five nor more than thirteen members, one third at least of whom shall be field officers, who shall have the power to try all field and brigade staff officers, for all violations of this act, other than absence from parade.

Brigade courts martial

20. *And be it enacted,* That every regimental court martial shall be appointed by the commanding officer of the regiment, and shall consist of not less than three nor more than seven commissioned officers, who shall have power to try all company, regimental and extra battalion staff officers for all violations of this act, other than absence from parade.

Regimental courts-martial

21. *And be it enacted,* That every extra battalion court martial shall be appointed by the commanding officer of the extra battalion, and shall consist of not less than three, nor more than seven commissioned officers, who shall have power to try all company officers for violations of this act, other than absence from parade; every company court martial shall be appointed by the commanding officer of the company, and shall consist of one subaltern, one non-commissioned officer, and one private, who shall have power to try all non-commissioned officers and privates for all violations of this act, other than absence from parade; and in case there should be no subaltern or non-commissioned officer attached to said company, then the commanding officer of the company shall apply to the commanding officer of the battalion, regiment or extra battalion, to which he may be attached, who shall, within five days after such application, order a commissioned or non-commissioned officer, or both, as the case may require, of a neighbouring company, to repair to a convenient place designated by the commanding officer of the company, in whose district the

Ex. battalion and company courts martial